

## Office Work Instruction

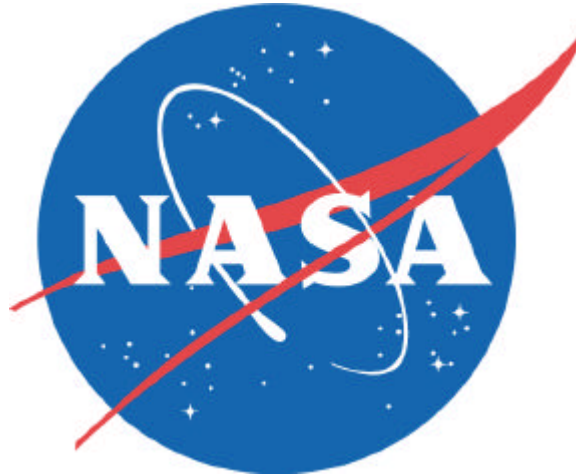
HOWI 7020-U019 Baseline

April 18, 2000

Responsible Office: UM/Space Utilization and Product Development Division

**Subject: Registration and Disposition Process for ISS  
Entrepreneurial Offers**

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# **Human Exploration and Development of Space (HEDS) Registration and Disposition Process for ISS Entrepreneurial Offers**

**Original Approved and Signed by:**

Arnauld E. Nicogossian  
Associate Administrator

&

Joseph Rothenberg  
Associate Administrator

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| <b>Status<br/>(Baseline/<br/>Revision/<br/>Canceled)</b> | <b>Document<br/>Revision</b> | <b>Effective<br/>Date</b> | <b>Description</b>  |
|--|------------------------------|---------------------------|---|
| Baseline   |                              | 9-27-99                   |   |
| Administrative<br>change                                 | Baseline                     | 4-18-00                   | Administrative changes to ensure quality records are described by the same title. Added Note: (*) Denotes Quality on process maps in section 5. |
|  |                              |                           |   |
|  |                              |                           |   |

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**1. Purpose:**

This Office Work Instruction (OWI) defines the Registration and Disposition Process for International Space Station (ISS) Entrepreneurial offers used by the Human Exploration and Development of Space (HEDS) Enterprise. This registration and disposition process establishes auditable records for the ISS commercial development initiative.

**2. Scope and Applicability:**

NASA's *Commercial Development Plan for the ISS* communicates vast areas of commercial opportunities for industry and encourages industry initiative and involvement. This OWI provides instructions for NASA's handling of these "Entrepreneurial Offers for the ISS" (henceforth referred to as "Offers") or Concept Papers. This process applies only to formal written Offers and does not apply to non-ISS directed Offers or "unsolicited proposals" as defined by the Federal Acquisition Regulations (FAR).

**3. Definitions:**

- 3.1 Entrepreneurial Offer:** A written offer for a new or innovative idea, involving ISS assets, submitted to NASA on the initiative of the offeror for the purpose of creating value-added products or services for sale primarily to the private sector, which is not in response to a request for proposal. The offer must address the components identified in the (addendum) Reference Document 4.4.
- 3.2 Unsolicited Proposal:** A written proposal for a new or innovative idea submitted to an agency on the initiative of the offeror for the purpose of obtaining a contract with the Government which is not in response to a request for proposal. (Reference FAR 15.601.)
- 3.3 Concept Paper:** A written commercial briefing submitted to NASA outlining general tenets leading to an offer.
- 3.4 DD:** Director of Space Utilization and Product Development Division, Code UM.
- 3.5 CDM:** Commercial Development Managers (Code UM).
- 3.6 CET:** Commercial Evaluation Team - includes CDM, DD and other agency representatives, as appropriate, to address the subject matter.
- 3.7 EB:** Executive Board - includes an Official from the Office of the NASA Administrator, as well as, the Associate Administrator of Space Flight (Code M) and the Associate

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Administrator for the Office of Life and Microgravity Sciences and Applications (Code U), or their designees. Other officials will be added as appropriate.

3.8 **ISSPO:** International Space Station Program Office

3.9 **Standard Agreement:** An Agreement is standard if it does not exceed the 30 % commercial utilization guideline and does not significantly impact other NASA projects or programs.

4. **Reference Documents:**

4.1 Commercial Development Plan for the International Space Station, NASA Document, November 16, 1998.

4.2 FAR 15.601 Definitions.

4.3 NPD 1050.1 - Authority To Enter Into Space Act Agreements

4.4 Entrepreneurial Offer Components. (See addendum.)

4.5 National Aeronautics and Space Act of 1958, As Amended

<http://www.hq.nasa.gov/office/pao/History/amendact.html>

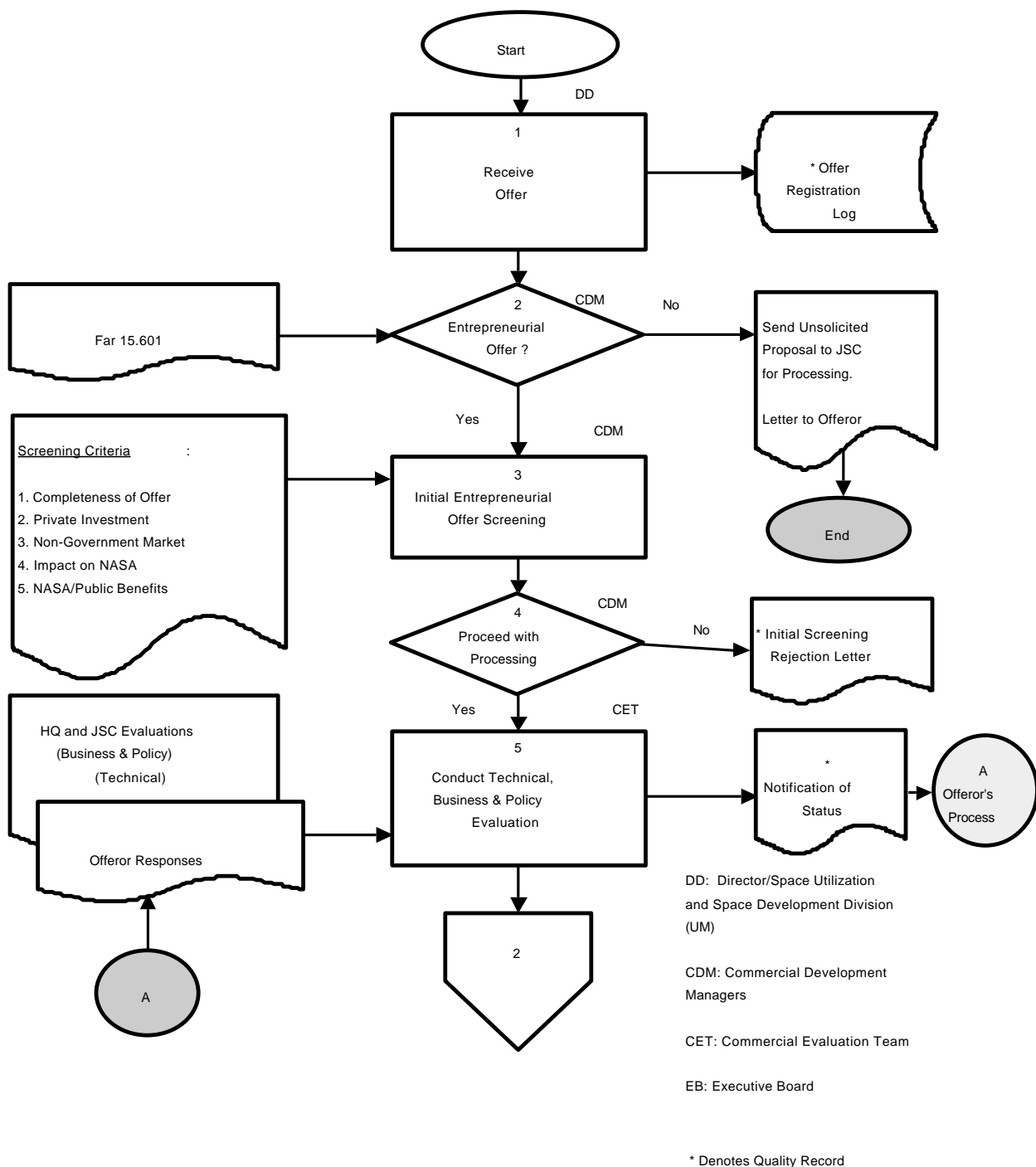
4.6 Commercial Space Act of 1998

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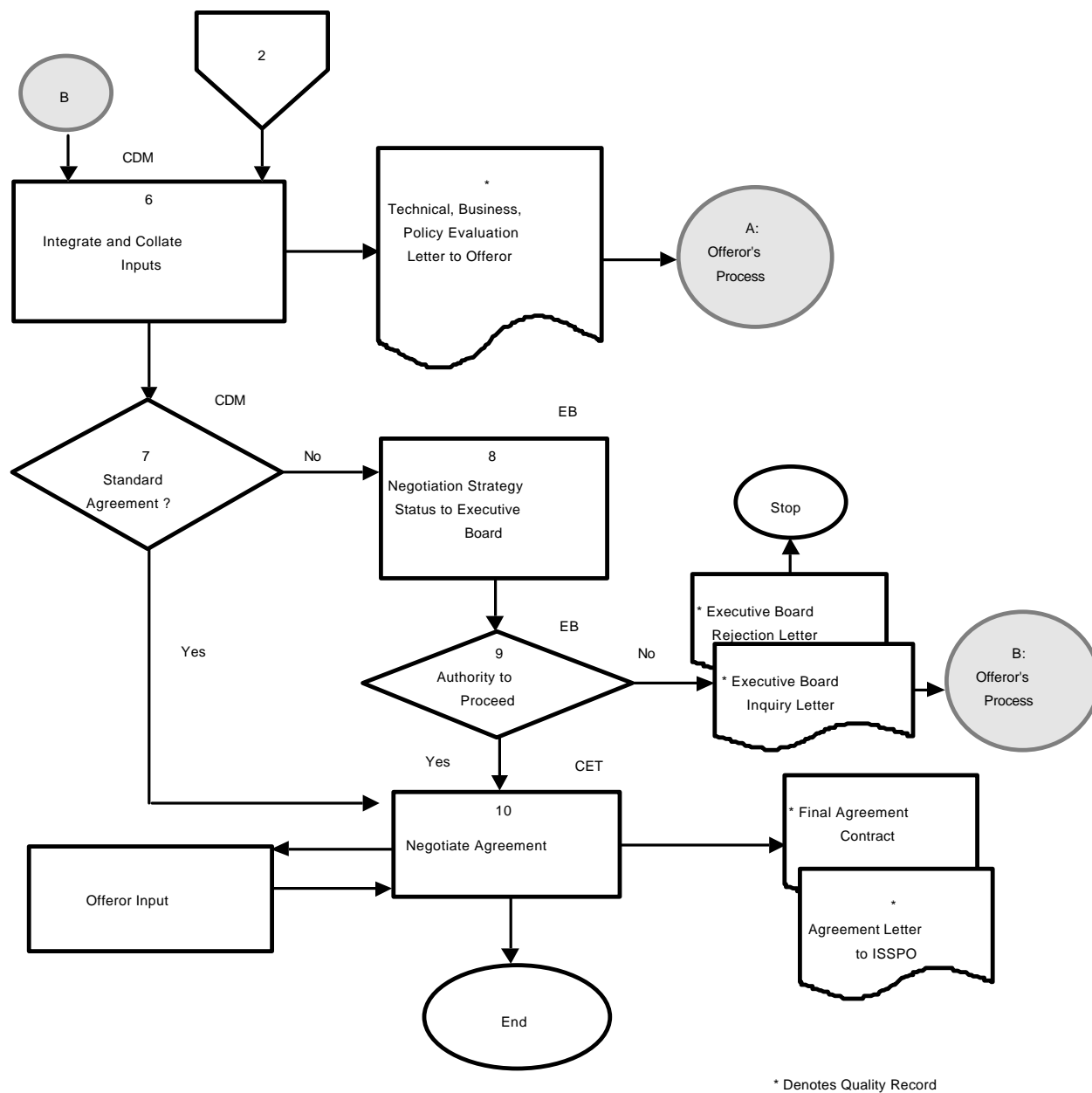
**Subject: Registration and Disposition Process for ISS Entrepreneurial Offers****5. Flowchart:**

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#### **6. Procedure:**

The following table describes the process depicted in the flowchart in Section 5. Entrepreneurial offers should be mailed to:

National Aeronautics and Space Administration

Human Exploration and Development Enterprise

UM/Director, Space Utilization and Product Development Division

Washington, DC 20546-001

The number at the left of the table corresponds to the numbers in the activity boxes in the flowchart.

| # | <u>Responsible Official</u>     | <u>Activity Description</u>   |
|---|---------------------------------|---|
| 1 | Division Director,<br>Code UM   | Receive and log each incoming entrepreneurial offer in <u>the Offer Registration Log</u> . Logging includes assigning an offer number, entering the contact information into a tracking database and filing a copy of the offer.  |
| 2 | Commercial Development Managers | Determine whether the proposal is an entrepreneurial offer or an unsolicited proposal. Determination is made utilizing input from the definition of unsolicited proposals in FAR 15601 (and consultation with procurement official, as needed). Any submittal deemed to be an unsolicited proposal is forwarded to the appropriate Office or Center for their process and a letter is sent to the proposing organization notifying them of the status. Submittals fitting the criteria of an entrepreneurial offer are considered for step 3. |
| 3 | Commercial Development Managers | Initial evaluation is performed by Commercial Development Managers using the following criteria: <ol style="list-style-type: none"> <li>1. Completeness of the technical and business elements of offer (Ref. 4.4).</li> <li>2. Magnitude of private industry investment in the proposed</li> <li>3. Predominance of a non-NASA market</li> <li>4. Cost, Schedule and Technical impact of project on NASA</li> <li>5. Benefits to NASA and/or the public.</li> </ol>  |

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- |    |                                 |   |
|----|---------------------------------|---|
| 4  | Commercial Development Managers | If the offer does not sufficiently meet the screening criteria, a <u>Initial Screening Rejection Letter</u> and/or deficiencies is sent to the offeror. If the offer meets or exceeds the criteria, then it is further evaluated.   |
| 5  | Commercial Evaluation Team      | <u>Notification of Status</u> : Business, policy and technical reviews are performed on the offer. The business and policy review is performed at NASA HQ. Primarily the ISS Program Office at JSC performs the technical review, which includes assessment of cost, schedule and technical impact to NASA. Questions to the offeror by the CDM/ISS Program Office and responses from the offeror to the CDM/ISS Program Office are iterated as the CDM determines necessary. These transactions are characterized as a <u>Notification of Status</u> . At any time, if the offeror's response is deemed unsatisfactory, a rejection letter can be sent to the offeror. |
| 6  | Commercial Development Managers | The reviews performed at HQ and JSC are collated and inputs are forwarded to offeror for their response to specific questions and concerns. This process may be iterated, as necessary.   |
| 7  | Commercial Development Managers | Determine whether the offer meets definition of a standard agreement. If it does not, the CDM process the offer through the Executive Board to obtain authority to proceed.   |
| 8  | Executive Board                 | <p>The negotiation strategy is presented to the Executive Board for consideration to proceed into negotiations with the offeror for reasons not limited to but may include the following:</p> <ol style="list-style-type: none"> <li>1. Support of the Commercial Space Act of 1998</li> <li>2. Support NASA Commercial Program Development Goals</li> <li>3. Advance best business practices to promote commercialization of the International Space Station.</li> </ol>   |
| 9  | Executive Board                 | The Executive Board decides whether the Commercial Evaluation Team should proceed into negotiations with the offeror. If screening, questions and issues can not be reconciled, a <u>rejection letter</u> is sent to the offeror. If the Executive Board seeks further information from the offeror, a letter is sent to the offeror requesting information for their review and consideration. The offeror processes this request through their process and resubmits to the CDM as an input to step 6.  |
| 10 | Commercial Evaluation Team      | A <u>Final Agreement Contract</u> is negotiated with offeror and reviewed through the Office of the General Counsel. Upon execution of the agreement, Code UM files the final agreement contract for it's records and the ISSPO at JSC is notified and sent a copy of the agreement (Agreement Letter to ISSPO).  |



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#### **7. Quality Records**

| <i>Record Identification</i>                                   | <i>Owner</i>                         | <i>Location</i> | <i>Media<br/>Electronic/<br/>Hard Copy</i> | <i>Schedule and<br/>Item Number*</i> | <i>Retention/Disposition</i>  |
|--|--------------------------------------|-----------------|--|--------------------------------------|---|
| Offer Registration Log   | Division<br>Director<br>(Code UM)    | Code UM         | Electronic                                 | Schedule 7,<br>Item 4.A              | Permanent<br>Retire to FRC when 5<br>years old. Transfer to<br>NARA when 10 years<br>old. |
| Initial Screening<br>Rejection Letter                          | Commercial<br>Development<br>Manager | Code UM         | Hard Copy                                  | Schedule 7,<br>Item 4.A              | Permanent<br>Retire to FRC when 5<br>years old. Transfer to<br>NARA when 10 years<br>old. |
| Notification of Status   | Commercial<br>Development<br>Manager | Code UM         | Hard Copy                                  | Schedule 7,<br>Item 4.A              | Permanent<br>Retire to FRC when 5<br>years old. Transfer to<br>NARA when 10 years<br>old. |
| Technical, Business,<br>Policy Evaluation<br>Letter to Offeror | Commercial<br>Development<br>Manager | Code UM         | Hard Copy                                  | Schedule 7,<br>Item 4.A              | Permanent<br>Retire to FRC when 5<br>years old. Transfer to<br>NARA when 10 years<br>old. |
| Executive Board<br>Rejection Letter                            | Commercial<br>Development<br>Manager | Code UM         | Hard Copy                                  | Schedule 7,<br>Item 4.A              | Permanent<br>Retire to FRC when 5<br>years old. Transfer to<br>NARA when 10 years<br>old. |
| Executive Board<br>Inquiry Letter                              | Commercial<br>Development<br>Manager | Code UM         | Hard Copy                                  | Schedule 7,<br>Item 4.A              | Permanent<br>Retire to FRC when 5<br>years old. Transfer to<br>NARA when 10 years<br>old. |

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|                           |                                |         |           |                      |  |
|---------------------------|--------------------------------|---------|-----------|----------------------|--|
| Final Agreement Contract  | Commercial Development Manager | Code UM | Hard Copy | Schedule 7, Item 4.A | Permanent<br>Retire to FRC when 5 years old. Transfer to NARA when 10 years old. |
| Agreement Letter to ISSPO | Commercial Development Manager | Code UM | Hard Copy | Schedule 7, Item 4.A | Permanent<br>Retire to FRC when 5 years old. Transfer to NARA when 10 years old. |

Retire to FRC when 5 years old. Transfer to NARA when 10 years old. \* Quality Records are retained in accordance with the referenced schedule and item number from NPG 1441.1, *NASA Records Retention Schedules*

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#### **Addendum:**

#### **Entrepreneurial Offer Components September 16, 1999**

Please include information addressing the following components in your entrepreneurial offer. Passages should be brief and concise.

##### Offer description:

- Describe business venture – technical & commercial merits
- Project milestone schedule
- Private investment
- Services required from the US Government/NASA
- Benefits to the Government/NASA/public
- Terms and conditions of Agreement

##### Technical information

- description of hardware/software/services
- description of operational concept

##### Company information & Management Team

- Ownership
- Location and Facilities
- Services provided
- Team Members
- Points of contact (business & technical)
- Organizational Structure

##### Market Analysis & Strategy Summary

- Industry Analysis – competition, risks, etc.
- Target market and projected market capture
- Marketing strategy
- Sales Forecast and basis of estimates (Pricing)

##### Financial Plan

- Capital investment plan
- Contingency plan
- Break Even Analysis
- Profit and Loss
- Projected Cash Flow
- Projected Balance Sheet

Letters of intent/commitment – financial, personnel, customers